Supreme Court, U.S.
FILED
AUG 31 1994
OFFICE OF THE CLERK

(3)

No. 93-2013

In the SUPREME COURT of the UNITED STATES

CITY OF SAN DIEGO,
Petitioner,
v.
PHILIP K. PAULSON, HOWARD T. KREISNER,
& SOCIETY OF SEPARATIONISTS,
Respondents.

Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit

BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

PETER IRONS
Earl Warren Bill of Rights Project
University of California,
San Diego
La Jolla, CA 92093-0521
(619) 534-3664

Counsel of Record for Respondent Paulson

HOWARD T. KREISNER,
Respondent Pro Se

BEST AVAILABLE COPY

20 pp

HK of San Diego, Law Printer

QUESTIONS PRESENTED

1. Whether the Court of Appeals correctly followed the guidance of state courts in holding that the prominent display of a Latin cross in a public park violates the California constitution.

2. Whether *Pullman* abstention is required when federal courts consider a claim arising under a state constitutional provision that has been interpreted by state courts in analogous, but not identical, factual contexts.

TABLE OF CONTENTS

page

QUESTIONS PRESENTED i

TABLE OF AUTHORITIES iii

STATEMENT OF THE CASE 1

1. Factual Background Of The Mt. Soledad Easter Cross 2

2. The City's "Historical Structure" Argument 3

PROCEEDINGS BELOW 5

SUMMARY OF ARGUMENT 5

REASONS FOR DENYING THE PETITION 6

I. California Case Law Provides An Ample Basis For The Decision Of The Court Of Appeals 6

II. The City's Effort to Distinguish *Allegheny County* Fails 9

III. Because State Law Is Settled In This Area, *Pullman* Abstention Is Not Required . . 10

IV. The City's "Free Speech" Claim Has No Merit 12

CONCLUSION 13

TABLE OF AUTHORITIES

page

Constitutional Provisions

California Constitution, Art. I, Section 4 5

Cases

Adickes v. Kress & Co., 398 U.S. 144 (1970) 13
Blonder-Tongue Laboratories Inc. v. Univ. of Illinois Foundation, 402 U.S. 313 (1971) 12
County of Allegheny v. ACLU, 492 U.S. 573 (1989) 7, 9, 10
Equal Employment Opportunity Comm'n v. Federal Labor Relations Authority, 476 U.S. 19 (1986) 13
Fox v. City of Los Angeles, 22 Cal. 3d 792 (1978) . . . 7, 11
Hewitt v. Joiner, 940 F.2d 1561 (9th Cir. 1991), *cert. denied*, 112 S.Ct. 969 (1992) 8
Lemon v. Kurtzman, 403 U.S. 602 (1971) 4, 9
Okrand v. City of Los Angeles, 207 Cal. App. 3d 566 (1989) 7, 8, 11
Railroad Comm'n of Texas v. Pullman Co., 312 U.S. 496 (1941) 5, 6, 10, 11
Reetz v. Bozanich, 397 U.S. 82 (1970) 11
Vance v. Terrazas, 444 U.S. 252 (1980) 12

Rules

Supreme Court Rule 10.1(a) 5

No. 93-2013

In the SUPREME COURT of the UNITED STATES

CITY OF SAN DIEGO,
Petitioner,
v.
PHILIP K. PAULSON,
HOWARD T. KREISNER,
& SOCIETY OF SEPARATIONISTS,
Respondents.

Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit

Respondents Philip K. Paulson and Howard T. Kreisner respectfully submit this brief in opposition to the petition for writ of certiorari.

STATEMENT OF THE CASE

Defendant/petitioner, the City of San Diego, seeks a writ of certiorari to review a decision of the United States Court of Appeals for the Ninth Circuit affirming the district court's grant of summary judgment to plaintiffs/respondents. Respondents' suit challenges, as violations

of the constitutions of California and the United States, petitioner's use of public park land to display a large Latin cross at the summit of Mt. Soledad, the highest point in the City. The decision below rests exclusively on state constitutional grounds.

I. Factual Background of the Mt. Soledad Easter Cross

Since 1916, the City of San Diego has owned a 170-acre public park located on Mt. Soledad, the highest point in the city. The first cross on Mt. Soledad was constructed of wood in 1913 and was destroyed by vandals in 1923. A replacement was built of wood and stucco in 1934. This cross was destroyed during a storm in 1952. Later that year, a group of citizens secured permission from the San Diego City Council to construct a Latin cross at the summit of Mt. Soledad. Using 24 tons of reinforced concrete, the 43-foot structure was completed in 1954. All three crosses were intended to serve as settings for annual Easter sunrise services by Christian religious groups. Appendix to Petition for Writ of Certiorari (hereafter "P. App."), at D-4, F-3.

The present cross is commonly known as the "Easter Cross" and many maps show this name. To illustrate, the most recent San Diego map of the American Automobile Association (1992 edition) designates the cross as the "Soledad Mtn. Easter Cross." Respondents' Appendix at A (hereafter "R. App.") San Diego residents and visitors alike identify the Mt. Soledad cross with Easter.

The cross was originally dedicated by its sponsor, the Mt. Soledad Memorial Association, at a Christian religious service on Easter Sunday in 1954. On every Easter since, the Association has sponsored a sunrise service. P. App. at D-4, 5.

The most recent observance at the cross took place on Easter Sunday, April 3, 1994. A newspaper announce-

ment of this service, listing the program and participants, leaves no doubt that this was an exclusively Christian event. R. App. at B. This sunrise service was sponsored by the Mt. Soledad Memorial Association and featured a reading of the poem written for the dedication of the present cross in 1954. That poem (R. App. at C) begins as follows:

> "In reverent humility
> We dedicate this cross to Thee
> O Christ . . . . "

Respondents note that the City's petition does not include the word "Easter" or any mention of the Easter sunrise services conducted each year at the site of the Easter Cross.

2. The City's "Historical Structure" Argument

In its petition, the City repeatedly refers to the Easter Cross as an "historical structure" or monument. From the Questions Presented to the Conclusion of the petition, that phrase or its analogues are used eight times. This Court is beseeched to grant the petition because "the irreplaceable historical treasures of this country would be at risk of destruction" if the decision of the Court of Appeals is not reversed. Pet. at 23. The City's "historical structure" claim, however, has been newly constructed to replace its original (and unsuccessful) defense of the Easter Cross. In argument before the district court, the City characterized the cross as a completely secular "war memorial," and defended it solely on that ground. However, the court ruled that this characterization was a "pretext" to mask the sectarian religious purposes of the Easter Cross. P. App. at F-38.

Anticipating this ruling, the City changed its approach. Shortly after oral argument in the district court, the City moved to designate the Easter Cross and the sur-

rounding park as a "historical site." P. App. at K 1-2. Contrary to the City's assertion that this decision was "based upon input which pre-dated the instant litigation," Pet. at 5, the record shows that this effort began after and was prompted by the filing of the instant "suit to have the cross removed." P. App. at Q-8. The City's attorneys provided assistance to the private citizens who prepared the request to the City's Historical Site Board. Two months after the summary judgment arguments in the district court, the Board provided the requested "historical site" designation.

Respondents note the above facts because the City's characterization in its petition of the Easter Cross as an "historical structure" was not before the district court at the time of summary judgment argument, nor was it addressed by the court of appeals. In any event, the question of whether a cross which was erected just forty years ago is truly "historic" is less important than the sectarian purposes of those who erected it.

Respondents additionally note the City's claim, also made eight times in its petition, that the Easter Cross is "owned" by the Mt. Soledad Memorial Association. The point of this claim seems to be that "private" ownership of the cross protects it from the "governmental entanglement" prong of the *Lemon* test employed by this Court in Establishment Clause cases, *Lemon v. Kurtzman*, 402 U.S. 602 (1971). Pet. at 8-9. Although this case was decided without reference to the Establishment Clause, the City has raised the issue in its petition and respondents feel constrained to reply that the question of who "owns" the Easter Cross is controverted, as the Court of Appeals noted. P. App. at C-6. This question will be considered by the district court in subsequent proceedings to enforce its injunction, and need not be considered by this Court. Additionally, whether the Easter Cross is "owned" by a private group or by a public entity is irrelevant to the legality of its permanent placement in a public park.

II. Proceedings Below

The district court granted respondents' motion for summary judgment based on its determination that the Mt. Soledad cross violated the No Preference clause of the California Constitution, which guarantees the "free exercise and enjoyment of religion without discrimination or preference. . . ." Cal. Const., Art. I, sec. 4; P. App. at F-38. In view of that ruling, the court declined to reach respondents' remaining federal constitutional claim, or claims based on other provisions of the California Constitution. P. App. at F-13.

The Court of Appeals for the Ninth Circuit affirmed on state constitutional grounds alone. P. App. at D-10. The court carefully considered and rejected petitioner's contention, based on the doctrine set forth in *Railroad Comm'n of Texas v. Pullman Co.*, 312 U.S. 496 (1941), that adjudication by the district court of respondents' claim under the No Preference clause was an abuse of discretion. P. App. at D-8, 9.

SUMMARY OF ARGUMENT

The Questions Presented in the petition as grounds for issuance of a writ are closely related. First, the City argues that the Court of Appeals erred in its application of "a state constitutional clause that has not been definitively interpreted by the state courts"; and second, that *Pullman* abstention should be applied and this case remanded to state court. Petition at i.

These related grounds for review fail to satisfy the standards for exercise of the Court's discretionary jurisdiction, as stated in Supreme Court Rule 10.1(a). Quoting that rule, petitioner claims that the Court of Appeals "so far departed from the accepted and usual course of judicial proceedings . . . as to call for an exercise of this Court's power of supervision." Pet. at 19. With due re-

spect, respondents suggest that petitioner has substituted hyperbole for reasoned argument.

1. In affirming the district court's grant of summary judgment to respondents, which was based on the No Preference clause of the California Constitution, the Court of Appeals followed the clear guidance of the state courts in construing this clause. An extensive body of California case law, including a previous challenge to a Latin cross on public property, makes clear that the Easter Cross in Mt. Soledad Nature Park constitutes a "preference" for the Christian religion.

2. In affirming the district court's decision to adjudicate respondents' claim, the Court of Appeals applied the settled rule that federal courts need not abstain under *Pullman* if they can predict with any confidence how a state court would resolve the matter. As noted above, and discussed below, the extensive body of California case law construing the No Preference clause, dating back more than a century, provided the Court of Appeals with ample guidance in this case. The court's reasoning on the abstention issue is consistent with the uniform body of case law interpreting the *Pullman* doctrine, and thus presents no conflict with other circuits that might justify this Court's review.

REASONS FOR DENYING THE PETITION

I. California Case Law Provides An Ample Basis For The Decision Of The Court Of Appeals

Petitioner claims that the Court of Appeals erred in its interpretation of the No Preference clause of the California Constitution, because "[s]tate law in this area is unsettled." Pet. at 6. On the contrary, state law is well settled and was carefully analyzed and followed by the Court of Appeals. Perhaps conscious of this fact, the City devotes less than two pages of its petition to the Califor-

nia cases that were discussed on virtually every page of the opinion below. The petition glosses over the leading case, *Fox v. City of Los Angeles*, 22 Cal. 3d 792 (1978), in just eleven lines, focusing on the irrelevant issue of whether the display on Mt. Soledad of other religious symbols might somehow cure the Easter cross of "preference" for the Christian religion. Pet. at 7.

In contrast to petitioner's effort to ignore *Fox*, it was cited or referred to eight times by the Court of Appeals and thirteen times by the district court. The reason for this judicial reliance on *Fox* is evident in the factual similarities of the two cases, which petitioner evades. In *Fox*, the California Supreme Court ruled that display of the Latin cross on Los Angeles City Hall, by illuminating windows at night during both the Christmas and Easter holidays, exhibited a forbidden "preference" for the Christian religion. The *Fox* opinion cited the trial court finding that the lighted cross on City Hall "is visible for many miles in many directions, and can be and is viewed by persons driving the freeways" that pass City Hall. 22 Cal. 3d at 794.

Similarly, the Court of Appeals held that the Mt. Soledad cross "can be seen from a substantial distance, including a portion of the interstate highway" that passes within one-half mile of the cross. P. App. at D-4. The cross in *Fox* was displayed only at night and only during a few religious holidays, while the Mt. Soledad cross is a permanent fixture, visible every day of the year to passing motorists as well as visitors to Mt. Soledad Nature Park.

The petition cites just once and devotes only seven lines to the second leading state case, *Okrand v. City of Los Angeles*, 207 Cal. App. 3d 566 (1989), which held that the display of an unlit Jewish menorah in the rotunda of Los Angeles City Hall, near a decorated Christmas tree, did not violate the No Preference clause. The facts in *Okrand* are virtually identical to those in *County of Allegheny v. ACLU*, 492 U.S. 73 (1989), decided by this Court

later in the same year and with much the same reasoning. The relevance of *Okrand* to this case, recognized by thirteen citations by the Court of Appeals and fifteen by the district court, lies primarily in its common-sense holding that the Latin cross "represents with relative clarity and simplicity the Christian message of the crucifixion and resurrection of Jesus Christ, a doctrine at the heart of Christianity." *Okrand, supra,* at 579-580. As the record makes clear, the Mt. Soledad Easter Cross was erected for the primary purpose of expressing this central Christian doctrine.

Finally, the petition dismisses the Ninth Circuit opinion in *Hewitt v. Joiner*, 940 F.2d 1561 (9th Cir. 1991), *cert. denied*, 112 S.Ct. 969 (1992), in nine lines and denounces the Court of Appeals for "concocting" in that case what the City disparages as "its own 'law'" on the No Preference clause. In fact, the Court of Appeals in *Hewitt*, which involved the permanent display of Christian statuary in a county park, carefully analyzed the *Fox* and *Okrand* opinions and applied their holdings to each significant aspect of the *Hewitt* case. In similar fashion, the Court of Appeals and the district court both applied the *Hewitt* analysis to the Mt. Soledad Easter Cross and concluded that permanent display of the Latin cross in a public park violates the No Preference clause of the California Constitution. P. App. at D 16-18, F 38.

Respondents consider it significant that petitioner has barely mentioned the leading state cases, and the most relevant Court of Appeals opinion, although they provide clear guidance on the interpretation of the No Preference clause of the California Constitution. The petition devotes twice as much space, and nineteen case citations, to arguing that the Mt. Soledad Easter Cross does not violate the Establishment Clause of the federal Constitution. Pet. at 8-12. This argument is both specious and irrelevant, since it is clearly erroneous and was not relied upon by the courts below. Respondents note only that the Mt. Soledad Easter Cross would obviously fail

the second part of the *Lemon* test, to which petitioner adverts, Pet. at 8, because it advances a particular religion. *Lemon v. Kurtzman*, 403 U.S. 602, 612-613 (1971). Similarly, the City's claim that the Easter Cross was erected for the "secular purpose" of honoring veterans was considered and dismissed by the district court, which held that the *Lemon* test did not apply and that "the presence of a secular purpose [under the *Lemon* test] is irrelevant" to application of the No Preference clause. P. App. at F-18, n. 25. Consequently, the City's effort to raise claims that were not considered or decided by the courts below should be dismissed by this Court.

II. The City's Effort to Distinguish *Allegheny County* Fails

Respondents will respond briefly to one of the City's more insubstantial arguments. The City claims that the Easter Cross "is located in a public park approximately 13.5 miles from San Diego City Hall" and that its "distance from the seat of government strengthens the argument for the constitutionality of the cross." Pet. at 4. The petition then cites this Court's decision in *County of Allegheny v. ACLU*, 492 U.S. 573 (1989) for support. Although the petition does not quote it, the City's argument on this minor issue presumably refers to Justice Kennedy's statement in his *Allegheny County* opinion that the Establishment Clause "forbids a city to permit the permanent erection of a large Latin cross on the roof of city hall." Id. at 661.

The City obviously hopes to distinguish *Allegheny County* from the instant case. This effort fails for two reasons. First, the Easter Cross is not "13.5 miles from San Diego City Hall." This supposed fact is based upon an affidavit from one of the City's attorneys, who measured the distance with her automobile odometer, driving around city streets, freeways, and the circular approach road to Mt. Soledad Nature Park. P. App. at I.

This affidavit is hardly deserving of judicial notice, let alone judicial interest. The Easter Cross is actually 9.5 miles from City Hall, by straight-line measurement. More to the point, San Diego City Hall is a nondescript downtown building, the roof of which cannot be seen from the street below, while Mt. Soledad is the dominant physical feature of the city, from which the Easter Cross can be seen for many miles. A more appropriate quotation from Justice Kennedy's *Allegheny County* opinion is his comment that the constitutional vice of a large Latin cross on a public facility is that "such an obtrusive year-round religious display would place the government's weight behind an obvious effort to proselytize on behalf of a particular religion." The Mt. Soledad Easter Cross is indisputably "an obtrusive year-round religious display" of a sectarian symbol. Id.

III. Because State Law Is Settled In This Area, *Pullman* Abstention Is Not Required

Following its argument that state law on the No Preference clause of the California Constitution is "unsettled," Pet. at 6, the City devotes the bulk of its petition to the claim that the federal courts below should have applied *Pullman* abstention and directed respondents to state court. As shown above, state law in this area is well settled; consequently, *Pullman* abstention is not required.

Again with due respect, respondents suggest that petitioner has substituted hyperbole for reasoned argument on this issue. The City claims that the decision below "creates an intolerable tension between state and federal courts." Pet. at 12. The rhetoric then heats up. The failure of this Court to apply *Pullman* abstention "will send a signal that the federal courts may ride roughshod over the rights of states to interpret their constitutions in the way they see fit." Pet. at 14. Disaster impends. If this Court fails to apply *Pullman* abstention, the consequences "would indeed be tragic" and "the irreplaceable

historic treasures of this country would be at risk of destruction." Pet. at 5, 23.

Nothing of the sort will happen. The Washington Monument and the Statue of Liberty will remain standing after the Easter Cross is removed from the summit of Mt. Soledad. Most likely, the City will replace the cross with an appropriate memorial to veterans that does not convey a sectarian religious message. The *Pullman* doctrine affords the City no relief from the decisions of the lower courts.

The Court of Appeals correctly ruled in this case that "*Pullman* abstention is appropriate where the state's constitution contains a provision *unlike any* in the federal constitution and state court construction of its unclear or ambiguous clause might make a federal ruling unnecessary". P. App. at D-6 (emphasis added). The Court of Appeals cited for this proposition this Court's decision in *Reetz v. Bozanich*, 397 U.S. 82 (1970), a case also cited by petitioner, Pet. at 22. The *Reetz* case, in fact, answers the abstention question in the instant case. This Court stressed in *Reetz*, which involved a provision of the Alaska Constitution dealing with fishing rights, the "unique" nature of this provision. 397 U.S. at 87.

In contrast to *Reetz*, there is nothing "unique" about the No Preference clause of the California Constitution. It closely resembles the Establishment Clause of the federal constitution, and California courts have looked to this Court's decisions in Establishment Clause cases for guidance in construing the No Preference clause. *Fox v. City of Los Angeles, supra; Okrand v. City of Los Angeles, supra.* Petitioner even concedes that the two clauses are "similar" in form and function. Pet. at 14. Consequently, the ruling of the Court of Appeals that California courts have provided "interpretive caselaw" on the No Preference clause has ample support, as does its rejection of the City's request for *Pullman* abstention. P. App. at D-7.

IV. The City's "Free Speech" Claim Has No Merit

The City raises in its petition, for the first time, the claim that removal of the Easter Cross will somehow abridge the "free speech" rights of the Mt. Soledad Memorial Association. This argument is brief and somewhat murky, but it apparently rests on the claim that the Mt. Soledad Nature Park is a "traditional open forum" in which the Memorial Association has a First Amendment right to "display its cross" as an exercise in "symbolic expression" of religious views. Pet. at 10-11.

This argument is totally without merit. Respondents concede that members of the Memorial Association have the right to conduct Easter sunrise services in the Nature Park, or elsewhere on public land, subject to normal and nondiscriminatory regulations. They may even bring a cross with them as a backdrop for such services. They do not, however, have a First Amendment right to construct and maintain a large, permanent structure with obvious sectarian meaning in that park. To hold that they have such a First Amendment right would authorize any political or religious group to erect its own symbol, of equal size and prominence, on public property. The answer to this question is so obvious that citation to authority is unnecessary.

The City asks this Court to decide this question even though it admits that the "free speech argument was not raised below." Pet. at 11. It quotes, however, from a decision that upheld this Court's "power to decide important questions not raised by the parties," citing *Blonder-Tongue Laboratories Inc. v. Univ. of Illinois Foundation*, 402 U.S. 313, 320 n. 6 (1971), and *Vance v. Terrazas*, 444 U.S. 252, 258-59 n. 5 (1980). Neither citation is relevant to this case. *Blonder-Tongue* and *Vance* both involved this Court's decision to rule on questions not presented in petitions for certiorari. The City has raised the "free speech" claim in its petition. The proper rule is that this Court's "normal practice . . . is to refrain from addressing issues not

raised in the Court of Appeals." *Equal Employment Opportunity Comm'n v. Federal Labor Relations Authority*, 476 U.S. 19, 25 (1986). *Accord, Adickes v. Kress & Co.*, 398 U.S. 144, 147 (1970)("Where issues are neither raised before nor considered by the Court of Appeals, this Court will not ordinarily consider them.") There is no reason in this case to depart from that salutary rule.

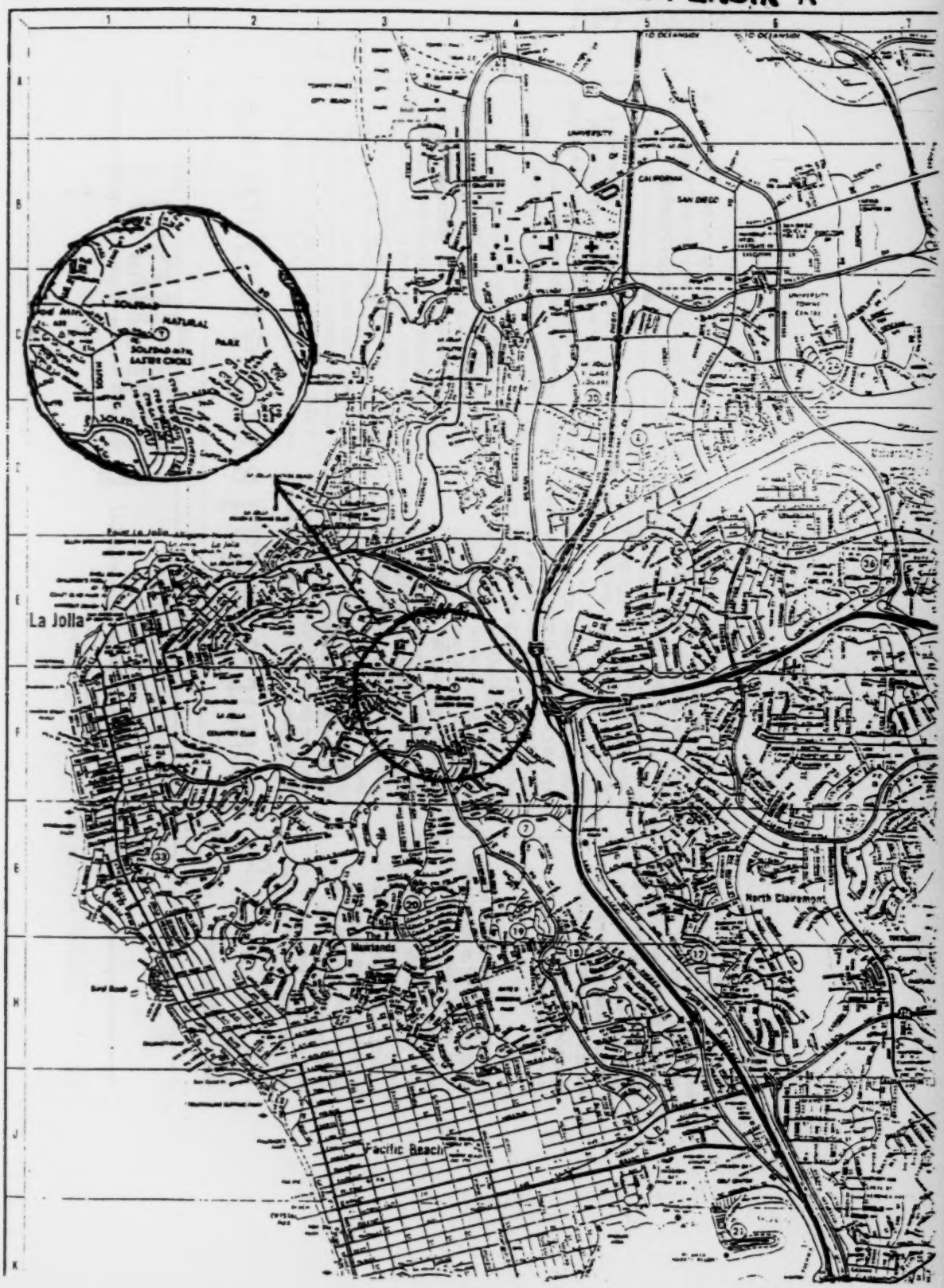
CONCLUSION

Petitioner has not demonstrated any persuasive reason for this Court to review the decision of the Court of Appeals. The decision below relied upon a substantial body of "interpretive caselaw" by California courts on the No Preference clause of the state constitution. There is no doubt that the Mt. Soledad Easter Cross shows a "preference" for the Christian religion. And there is no merit to petitioner's claim that the Easter Cross is protected by the "free speech" clause of the federal Constitution.

There is equally no merit to petitioner's claim that the district court and Court of Appeals should have abstained under the *Pullman* doctrine. California courts have provided ample guidance in cases that raise very similar factual issues, and federal courts have applied these rulings in similar cases.

In claiming that a denial of certiorari in this case would place the "historical treasures of this country . . . at risk of destruction," petitioner relies more on hyperbole and fantasy than on precedent and legal reasoning. Respondents respectfully urge this Court to deny the petition.

APPENDIX A



Religion

The Village Church
459-7456

The Village Church, a new church organization serving La Jolla, has commenced Sunday services at La Jolla High School. Dr. David Howle, pastor, presides. The church focuses on serving the area's growing single adult population.

David Howle holds a master of divinity and a doctorate of philosophy degree from Golden Gate Theological Seminary.

The church meets for Sunday worship at 11 a.m. in the La Jolla High School Cafeteria, 750 Nautilus St.

La Jolla United Methodist Church
6063 La Jolla Blvd., 454-7108

Easter Festival services with choir, brass and organ are held at 8:30 and 10 a.m. on Easter Sunday. Dr. Ritter preaches on "Eastering Our Deaths," based on Scripture readings from Mark 16:1-8 and Shall Reign" by Gilbert Martin. The Good News Singers are also featured at both services.

Mount Soledad sunrise service set

The 73rd Easter sunrise celebration at Mount Soledad is set for Sunday, April 3, 1994, at 6 a.m. Daylight-saving time goes into effect the same morning, and organizers urge participants to plan for the time change.

The service begins with the heralding of the dawn by Vincent Clarke, who has played his trombone for decades to begin this service.

Greetings will be brought by David Ish, representing the Mount Soledad Memorial Association. The 1954 poem dedication by Florence Scripps Kellogg will be read by her great grandson, Frederick Crowe Kellogg, and H. Bailey Gallison, who was an executive director of the La Jolla Town Council (1954) and was present at the original dedication ceremony, will share some of the memorial's history.

The Easter message will be a dialogue from the Gospel of Mark entitled "Ahead To Galilee" by the Rev. John Benbow, Congregational Church of La Jolla, and the Rev. Nancy Rupert McMaster, Clairemont Christian Church and president of the San Diego County Ecumenical Conference. The morning prayer will be given by the Rev. Brian Fairley, First Baptist Church of La Jolla. The Scripture lessons will be read by Peter Norris, University Lutheran Church, and Cmdr. John Corbett, St. James by-the-Sea Episcopal. Dan and Bonnie O'Keefe and the Sunshine Band, with special guests, will provide powerful and lively worship and praise music featuring colorful interpretive dance.

This annual service is sponsored by the Mount Soledad Memorial Association, a nonprofit organization, which is dedicated to the preservation of the park. A free will offering will gratefully be accepted for the continuing work of the memorial association.

on April 3 at 9 and 10:30 a.m. Music is provided by the Chancel Choir, soloists and Brass Ensemble.

La Jolla Lutheran
7111 La Jolla Blvd., 454-6459

Worship Service is Sunday at

APPENDIX B

000514

Mt. Soledad Memorial Association, Inc.

Officers and Trustees

Colonel Hugh Miller, President

William Scripps Kellogg, Vice President

Kenneth S. Walker, Treasurer

Mrs. Myrtle Hollelder, Secretary

Donald Campbell

Bradley Geist

Mrs. Frances Derr

Mrs. Izetta Jewel Miller

C. H. Rasmussen

C. L. Reasow

Dave Thompson

Mt. Soledad Memorial Cross Dedication

In reverent humility
We dedicate this Cross to Thee
O Christ. May it forever stand
A symbol in this pleasant land
of Thy great love and sacrifice
For all mankind. We lift our eyes
To this high Cross and reaffirm take
To do our best for Thy dear sake.

Ellen Scripps Kellogg

Easter Sunday, April 18, 1954

1:00 P.M.

La Jolla, California

APPENDIX C